

**BEFORE THE NATIONAL GREEN TRIBUNAL
WESTERN ZONE BENCH, PUNE**

THROUGH PHYSICAL HEARING (WITH HYBRID OPTION)

M.A. No. 03/2023(WZ)
Earlier O.A. No. 63/2022(WZ)

The Goa Foundation
.....Applicant
Versus

State of Goa & Ors.
....Respondent(s)

WITH

Original Application No. 98/2022(WZ)

The Goa Foundation
.....Applicant
Versus

State of Goa & Ors.
....Respondent(s)

WITH

M.A. No. 04/2023(WZ)
[Earlier M.A. No. 101/2022(PB)]
In
Original Application No. 478/2018
Earlier O.A. No. 16 (THC)/2013(WZ)

The Goa Foundation
.....Applicant
Versus

The State Of Goa & Ors.
....Respondent(s)

AND

Date of hearing: 04.05.2023

**CORAM: HON'BLE MR. JUSTICE DINESH KUMAR SINGH, JUDICIAL MEMBER
HON'BLE DR. VIJAY KULKARNI, EXPERT MEMBER**

In M.A. 03/2023(WZ)

Applicant : Mrs. Norma Alvares, Advocate
Respondent(s) : Ms. Harshita Gupta h/f Mr. Nalin Kohli, Advocate for
R-1 to 3
Mr. Shivan Desai along-with Mr. S. Swaminathan,

Advocates for R-4/Intervener
Shri J.E. Coelho Pereira, Senior Advocate along-with
Mr. Vinod Korgaonkar, Advocate for R-5 & 6

In O.A. 98/2022(WZ)

Applicant : Mrs. Norma Alvares, Advocate
Respondent(s) : Ms. Manasi Joshi, Advocate for R-1 to 4
Mr. Somnath B. Karpe, Advocate for R-5
Shri J.E. Coelho Pereira, Senior Advocate along-with
Mr. Vinod Korgaonkar, Advocate for R-6 & 7

In M.A. 04/2023(WZ)

Applicant : Mrs. Norma Alvares, Advocate
Respondent(s) : Ms. Harshita Gupta h/f Mr. Nalin Kohli, Advocate for
R-1 to 3
Mr. Harsha Peechara, Advocate for R-6 & 7

ORDER

M.A. No. 03/2023(WZ) & M.A. No. 04/2023(WZ)

1. From the side of Applicant, learned Counsel Mrs. Norma Alvares has appeared, who has filed rejoinder affidavit today, the same is taken on record. We direct the learned Counsel to send a copy of the same to the learned Counsel for the other Respondents.

2. From the side of Respondent No. 1/State of Goa, for Respondent No. 2/CCF and for Respondent No. 3/PCCF, learned Counsel Ms. Harshita Gupta holding brief of learned Counsel Mr. Nalin Kohli has appeared and apprised that learned Counsel Mr. Nalin Kohli is indisposed today because of which he cannot argue the matter, therefore, short adjournment is prayed for, which is being vehemently opposed by the learned Counsel for the Applicant, saying that in case any adjournment is to be granted, interim relief may be granted. But we are of the view that it would be appropriate to fix the matter on a nearer date, which is available as per our diary and only after hearing the learned Counsel for Respondent Nos. 1 to 3 would be considered granting any relief. In view of that, we grant adjournment.

3. From the side of Respondent No. 4/Project Proponent, learned Counsel Mr. Shivan Desai along-with Mr. S. Swaminathan have appeared and apprised that reply affidavit has been filed and a copy of the same has already been served upon the learned Counsel for the other parties.

4. From the side of Respondent Nos. 5 & 6/Private Respondents, learned Senior Counsel Shri J.E. Coelho Pereira along-with learned Counsel Mr. Vinod Korgaonkar have appeared.

5. From the side of Respondent Nos. 6 & 7 (in M.A. No. 04/2023), learned Counsel Mr. Harsha Peechara has appeared.

O.A. No. 98/2022(WZ)

6. From the side of Applicant, learned Counsel Mrs. Norma Alvares has appeared.

7. From the side of Respondent No. 1/The State of Goa, for Respondent No. 2/Goa Forest Department, for Respondent No. 3/The District Collector, North Goa and for Respondent No. 4/Town and Country Planning Department, learned Counsel Ms. Manasi Joshi has appeared, who states that she would be filing reply affidavit only after knowing the outcome of M.A. No. 03/2023(WZ).

8. From the side of Respondent No. 5/The Village Panchayat of Assagao, learned Counsel Mr. Somnath B. Karpe has appeared. As per record, he has not filed any reply affidavit. He is granted two weeks' time to file the same, if any.

9. From the side of Respondent Nos. 6 & 7/Private Respondents, learned Senior Counsel Shri J.E. Coelho Pereira, along-with learned

Counsel Mr. Vinod Korgaonkar have appeared and apprised that reply affidavit has already been filed.

10. Registry is directed to put up this matter for hearing on 18.07.2023.

Dinesh Kumar Singh, JM

Dr. Vijay Kulkarni, EM

May 04, 2023
M.A. No. 07/2023(WZ)
and other connected matters
P.Kr